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MSG

December 22, 2015

Honorable Mitchell S. Goldberg
United States District Court for the
Eastern District of Pennsylvania
U. S. Courthouse, Room 7614
601 Market Street
Philadelphia, PA 19106

FILED

DEC 28 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Re: Southco, Inc. v. Fivetechnologies, Inc., 2:10-cv-1060-MSG

Dear Judge Goldberg:

Pursuant to this morning's status conference, I write to confirm on behalf of Fivetechnologies, Inc., that it does not intend to rely on the declaration of Dr. David Dornfeld, the expert whose opinion was discussed in the Federal Circuit's opinion.

Thank you for your consideration of this matter.

Respectfully submitted,

/s/ Elizabeth S. Fenton

Elizabeth S. Fenton

ESF/cm

cc: Benjamin Leace, Esquire